Case 8:23-bk-10571-SC Doc 2480 Filed 08/25/25 Entered 08/25/25 13:36:27

## Case 8:23-bk-10571-SC Doc 2480 Filed 08/25/25 Entered 08/25/25 13:36:27 Desc Main Document Page 2 of 32

Ana, CA 92701, for the Court to consider the SECOND MOTION FOR AN ORDER EXTENDING THE ESTATE'S TIME TO FILE ACTIONS GOVERNED BY 11 U.S.C. §§ 108, 546(a), AND 549(d); MEMORANDUM OF POINTS AND AUTHORITIES; AND DECLARATION OF RICHARD A. MARSHACK IN SUPPORT (the "Motion") filed by Richard A. Marshack, in his capacity as the former Chapter 11 Trustee ("Trustee") for the Bankruptcy Estate ("Estate") of the Litigation Practice Group P.C. ("Debtor") and current Liquidating Trustee of the LPG Liquidation Trust in the above-captioned bankruptcy case (the "Case").<sup>2</sup>

**PLEASE TAKE FURTHER NOTICE** that as set forth more fully in the Motion, the Trustee has filed this Motion for an order extending the Estate's time to file actions governed by 11 U.S.C. §§ 108, 546(a)(1), and 549(d) for a period of approximately 120 more days, moving the statute which currently is set for September 19, 2025 to January 16, 2026.

In this case, the deadline to file prepetition actions under 11 U.S.C. § 108, to avoid prepetition transfers under 11 U.S.C. § 546(a), and to avoid post-petition actions under 11 U.S.C. § 549(d) (collectively, "Litigation Deadlines") will expire on September 19, 2025.

Trustee has not been idle in this matter. The Trustee's motion and the declaration of Richard Marshack, filed concurrently herewith, explains how the Trustee has diligently investigated and untangled the complex affairs of Debtor, its principals, associates, and affiliated businesses. As a result, Trustee has initiated and prosecuted hundreds of adversary proceedings and has already recovered millions of dollars for the benefit of Debtor's numerous creditors, many of whom are the previous consumer clients of Debtor. Despite significant challenges, including: concealment, and in some cases, destruction of relevant evidence; reticent percipient witnesses; and other litigation-related obstacles, Trustee's ongoing investigation has been prolific. It has, and will continue to reveal additional defendants, and maybe more important, more transfers of Debtor's money to existing defendants. It is for this reason that Trustee is requesting an extension of approximately 120 days to January 16, 2026 to file additional complaints. The complete scope and terms of the relief are detailed

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 $<sup>^{2}</sup>$  Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

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in the Motion, a copy of which can be obtained by contacting Yosina Lissebeck or Christopher Ghio whose contact information is listed in the top left-hand corner of this Notice.

PLEASE TAKE FURTHER NOTICE that, pursuant to LBR 9013-1(f), any response or opposition to the Motion must be (i) in writing and include a complete written statement of all reasons in opposition thereto or in support or joinder thereof, declarations and copies of all photographs and documentary evidence on which the responding party intends to rely and any responding memorandum of points and authorities, and (ii) filed with the Court and served on the Trustee, counsel for the Trustee, the Debtor, and the United States Trustee no later than 14 days prior to the hearing on this Motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to LBR 9013-1(h the failure to file and serve a timely response to the Motion may be deemed by the Court to be consent to the granting of the relief requested in the Motion.

Dated: August 25, 2025 DINSMORE & SHOHL LLP

By: /s/ Yosina M. Lissebeck 15 Attorneys for Richard A. Marshack, 16

Liquidating Trustee of the LPG

Liquidation Trust

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document: **NOTICE OF HEARING ON SECOND MOTION FOR AN ORDER EXTENDING THE ESTATE'S TIME TO FILE ACTIONS GOVERNED BY 11 U.S.C.** §§108, 546(a), AND 549(d)

will be served or was se and (b) in the manner s		mbers in th	e form and manner required by LBR 5005-2(d);
General Orders and LB document. On August 2	R, the foregoing document v <u>5, 2025,</u> I checked the CM/E following persons are on th	vill be serve ECF docket	RONIC FILING (NEF): Pursuant to controlling and by the court via NEF and hyperlink to the for this bankruptcy case or adversary proceeding a Mail Notice List to receive NEF transmission at
		$\boxtimes$	Service information continued on attached page
case or adversary proce States mail, first class, p	erved the following persons reding by placing a true and postage prepaid, and addres	correct cop sed as follo	ties at the last known addresses in this bankruptcy by thereof in a sealed envelope in the United bws. Listing the judge here constitutes a than 24 hours after the document is filed.
JUDGE'S COURTESY Honorable Scott C. Clar United States Bankrupto Central District of Califo 411 W. Fourth St., Ste 5 Santa Ana, CA 92701-4	kson cy Court rnia, Santa Ana Division 5130/Ctrm 5C		
			Service information continued on attached page
method for each person served the following per consented in writing to s	or entity served): Pursuant sons and/or entities by pers such service method), by fac ration that personal delivery	to F.R.Civ. onal deliver simile trans	P. 5 and/or controlling LBR, on August 25, 2025, Ity, overnight mail service, or (for those who emission and/or email as follows. Listing the judge triight mail to, the judge will be completed no later
I declare under penalty	of perjury under the laws of	☐ the United \$	Service information continued on attached page States that the foregoing is true and correct.
August 25, 2025  Date	Caron Burke		<u>/s/ Caron Burke</u> Signature

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